

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

FOOD LION, LLC and MARYLAND
AND VIRGINIA MILK PRODUCERS
COOPERATIVE ASSOCIATION, INC.

Plaintiffs,

v.

DAIRY FARMERS OF AMERICA, INC.,

Defendant.

1:20-CV-00442

STIPULATED DISCOVERY AND BRIEFING SCHEDULE/ORDER

The parties submit the following Discovery and Briefing Schedule which shall be effective unless and until the Court grants Defendant's pending Motion to Dismiss:

1. The parties shall serve initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1) on or before July 10, 2020;
2. The parties shall meet as soon as practicable for purposes of submitting a Rule 26(f) report to the Court.
3. Defendant's Answer to Plaintiffs' Complaint and any motions to amend the Complaint shall be filed on or before 21 days after denial of Defendant's Motion to Dismiss.
4. Defendant shall respond to Plaintiffs' document requests served on June 17, 2020, and begin producing documents by no later than July 17, 2020.
5. The parties agree that the production of structured data by all parties shall be

completed on or before August 15, 2020. In advance thereof, the parties shall meet and confer regarding the scope of any structured data production as soon as practicable.

6. The parties shall serve all initial requests for production by no later than July 10, 2020, and any additional requests for production must be served on or before August 31, 2020. All documents shall be produced as soon as reasonably practicable, but by no later than October 2, 2020.
7. The parties shall serve all interrogatories, on or before August 31, 2020. All responses to interrogatories shall be provided by no later than October 2, 2020.
8. The parties shall serve all requests for admission on or before January 29, 2021. All responses to requests for admission shall be served pursuant to the Rules of Civil Procedure and, in no event, no later than February 26, 2021.
9. Depositions of all non-expert witnesses and fact discovery shall be completed by October 30, 2020, unless otherwise agreed to by the parties (other than as set forth in paragraph 8).
10. The parties shall meet and confer to establish a pretrial schedule by no later than November 2, 2020 and, if there are disagreements, make a joint submission to the court by November 9, 2020, for resolution. The parties shall appear for a status conference thereafter to discuss the pretrial schedule at the Court's convenience.
11. Plaintiffs shall submit expert witness reports on or before November 13, 2020.
12. Defendants shall submit expert witness reports on or before January 8, 2021 and

- depositions of plaintiffs' experts shall be conducted within this same time period.
13. Plaintiffs shall submit rebuttal expert reports on or before February 8, 2021, and depositions of defendants' experts shall be completed within this same time period.
 14. Defendants shall conduct any additional depositions of plaintiffs' experts who file rebuttal reports within 10 days of the filing of any such rebuttal report. Any deposition of a rebuttal expert shall be strictly limited to the scope of any new opinions in the rebuttal report.
 15. All *Daubert* and summary judgment motions shall be filed on or before February 22, 2021. Oppositions to any such motions are due 30 days after service of the motion and replies are due 14 days after service of the opposition.
 16. This case shall be ready for trial by April 21, 2021, with all pretrial disclosures and exchanges completed and motions *in limine* fully briefed by that date.

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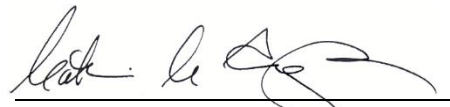
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**By Special Appearance*

APPROVED and SO ORDERED:


Hon. Catherine C. Eagles